

Date: 06/06/2011 01:19 PM
From: Mike Cirian/R8/USEPA/US
To: Victor Ketellapper, Steve Wharton, Bill Murray
Subject: Fw: 1109 Nevada Issues (UNCLASSIFIED)

Here is the information I will use to aid my response to DC.. I just wanted you to see the Corps record of what happened.

Mike Cirian, PE
US EPA
Remedial Project Manager
108 East 9th St.
Libby, MT 59923
406-293-6194

----- Forwarded by Mike Cirian/R8/USEPA/US on 06/06/2011 01:19 PM -----

From: "Hubbard, Jeffrey W NWO" <Jeffrey.W.Hubbard@usace.army.mil>
To: Mike Cirian/R8/USEPA/US@EPA
Cc: "Buss, Mark E NWO" <Mark.E.Buss@usace.army.mil>, "Ayala, Jeremy A NWO" <Jeremy.A.Ayala@usace.army.mil>
Date: 06/06/2011 12:52 PM
Subject: 1109 Nevada Issues (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Mr. Cirian

The following is document the discussions held today concerning the remediation activities being performed at 1109 Nevada

1. At approximately 7:45-8:00 received a phone call from Mr. D.C. Orr, his concerns/issues were;
 - a. The water truck while watering the street would stop spraying directly in front of his property and that his wife was sick because of them not watering in front of his house, he felt this was a deliberate act.
 - b. He wanted something in writing stating that the problem would be taken care of.
 - c. He wanted a point of contact above Mike Cirian in order insure results on the watering issue
 - d. Stated that someone from ER turned in an OSHA complainant about a project his company was performing and that ER employees were bad mouthing him around town and that he wanted it stopped
 - e. Stated that Mike Michael Vasquez of the Corps, he actually works for PRI, called the Sheriff,s Department on him for dumping material as part

of his business. Mr. Orr stated these were Gestapo Tactics and that they had to stop.

f. Mr. Orr stated he considered himself protected under the whistleblower law.

2. I informed Mr. Orr that the water trucks were suppose to be watering the street in front of his house and as soon as our call was over I would have a water truck over there and I would insure that they kept watering the street. As for the rest of his issues I told him that I would have to forward them on to Mr. Cirian and he would have to address them. I also told him that I would get a point of contact above Mr. Cirian and get back to him with a name/phone number/email.

3. After Mr. Orr stopped the call I contacted the PRI Site Supervisor and instructed him to send a water truck over to Mr. Orr,s and water the entire street.

4. After that call I received a phone call from Mr. Cirian and he stated that he received a phone call also, Mr. Cirian also said that he would pick me up at the office and we would drive over to 1109 Nevada

5. Upon arriving at 1109 Nevada we noticed;

a. That the street was dry directly in front of Mr. Orr,s house, the street was wet heading south from his property. The street was wet in front of 1109 Nevada and dry in front 1105 Nevada.

b. No dirt was being hauled to the property that day, a stockpile of clean fill material was placed in the backyard on Friday to complete the restoration activities on Monday

6. Mr. Orr came out of his property to talk to us;

a. He stated that this was a deliberate act to harass him, Mr. Cirian replied that instructions were given the week of May 23 for the entire street to watered and that we would find out why that direction was not followed.

b. Mr. Orr wanted something in writing stating that the changes would be in effect, Mr. Cirian stated that he would send an email.

c. I informed Mr. Orr and Mr. Cirian that the previous week the entire road was being watered everyday and that I confirmed several times during the week that it was being performed. Once I got back to the office Mr. John Steeber the QC Manager for PRI also confirmed that the entire road was being watered the previous week.

d. Mr. Cirian confirmed that the situation would be corrected and we headed over to 1109 Nevada.

7. While we were in the backyard of 1109 Nevada Mr. Orr requested that we follow him to the over side of the house.

a. On the south side garage at 1109 Nevada crews were using wheel barrows to restack fire wood removed prior to the excavation along the garage.

b. Mr. Orr pointed out 3 pieces of bark (the largest being around a

silver dollar) that were on Mr. Orr,s property when the crews dumped the wheel barrows.

c. Mr. Cirian picked up the three pieces of barked put them on the wood pile.

d. Mr. Orr stated that the Corps promised not even a leaf would get onto his property and that we failed.

e. Mr. Orr also wanted to know why the video camera along the property line wasn,t being used that day, he insisted that we were trying to hide something. We checked with CDM and they informed us the battery wasn,t working right and once they had the problem corrected it would be used.

f. We directed the crews not to dump the wood, but to stack it directly from the wheelbarrow.

g. Conversation ended with Mr. Orr at that time.

8. While still at 1109 Nevada the PRI site supervisor came to the property and informed us

a. A water truck was on the way over

b. The water truck went over to Mr. Orr,s property earlier that morning, but Mr. Orr stopped them from watering in front of his property.

c. That the current truck driver was not the one assigned to the property the previous week. The truck driver from the previous week confirmed that he watered the entire street the whole week.

d. Once the water truck showed up on site, the driver stated that someone told him not to water the street in front of Mr. Orr,s house. We instructed him to water the entire street.

9. Following the discussions with the truck driver we headed to the EPA office and arrived there around 10:00

Thanks

Jeff Hubbard

Project Engineer, Omaha District

Classification: UNCLASSIFIED

Caveats: NONE